

DOCUMENT "A"

**MINISTER'S DETERMINATION
CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act
April 18, 2013
File Number: 4561-3-1347

1. In accordance with section 6(6) of the Regulation, it has been determined that the undertaking may proceed following approval under all other applicable acts and regulations.
2. Commencement of this undertaking must occur within three years of the date of this Determination. Should commencement not be possible within this time period the undertaking must be registered under the *Environmental Impact Assessment Regulation (87-83) – Clean Environment Act* again, unless otherwise stated by the Minister of Environment and Local Government (DELG).
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the document entitled, "KINGSWOOD VILLAGE Environmental Impact Assessment November 2012", as well as all those identified in subsequent correspondence during the registration review. Additionally, the proponent shall submit a summary table detailing the status of each condition listed in this Determination to the Manager of the Environmental Assessment Section of DELG every 6 months from the date of this Determination until such a time that all the Conditions have been met.
4. If it is suspected that remains of archaeological significance are found during construction, operation or maintenance of the proposed development, as per the Heritage Conservation Act (2010), all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit shall be contacted at (506) 453-3014.
5. The proponent shall apply for and must receive/obtain an amendment to the *Hanwell Local Service District Rural Plan Regulation* because the land uses proposed by the property owner do not meet current zoning regulations.
6. The proponent shall ensure that all plans of survey or subdivision generated as a result of this undertaking are stamped in a visible location with the following statement. **Note: The drinking water and wastewater facilities shown on this plan are owned by a private company and/or are situated on private property and are 'private' systems. The Department of Environment and Local Government is not responsible for any conditions existing with these private systems and will not assume responsibility for the operation, management, upgrade, or repair of these private systems in the future. All responsibility for these private systems lies with the owner.**

7. The proponent shall include the aforesaid statement (please refer to condition 6 above) as a covenant and condition to which all transfers of property within the location of the undertaking are subject, and shall also include the said statement in any shared services, management and/or other agreements referencing the water and wastewater facilities situated on the subject property.
8. The proponent shall ensure that the Water and Wastewater Shared Services Agreement, and any amendments thereto are provided to the Manager of the Environmental Assessment Section, DELG prior to the operation of the water and wastewater systems.
9. The proponent shall apply for and obtain a *Watercourse and Wetland Alteration (WAWA) Permit* from DELG for any activities conducted within 30 metres of a watercourse or wetland, prior to the commencement of the Project. For additional information, please contact the Manager of the Watercourse and Wetland Alteration Program, DELG, at (506) 457-4850.
10. The proponent must obtain an *Approval to Construct* for the Drinking Waterworks from the Impact Management Branch (IMB), before construction activities commence. For more information, please contact the Manager of the Water and Wastewater Management Section, DELG, at (506) 453-7945.
11. Prior to start-up of the Drinking Waterworks, the proponent must obtain an *Approval to Operate* from the Impact Management Branch. For more information, please contact the Manager of the Water and Wastewater Management Section, DELG, at (506) 453-7945.
12. Drinking water from Wells #1 and #4 cannot be used for public consumption until authorization is given by the Clean Water Act Coordinator at the Department of Health, Central Region (506) 453-2830.
13. The proponent shall provide a complete list of pesticides used on the golf course within the last 5 years of operation of the facility. This information shall be sent to Manager of the Environmental Assessment Section, DELG and the Clean Water Act Coordinator at the Department of Health, Central Region (506) 453-2830.
14. The proponent shall ensure that a certified water distribution operator (certified to the level of the water distribution system) will be operating the Drinking Waterworks. The certification must be obtained through the Department of Post-Secondary Education and Labour. For more information, please contact the Manager of the Water and Wastewater Management Section, DELG, at (506) 453-7945.
15. The proponent shall ensure that, if additional treatment, other than sodium hypochlorite injection is required, a certified water distribution operator (certified to the level of the water treatment system) will be operating the Drinking Waterworks. The training and certification must be obtained through the Department of Post-Secondary Education and Labour. For more information, please contact the Manager of the Water and Wastewater Management Section, DELG, at (506) 453-7945.
16. The proponent must obtain an *Approval to Construct* for the Wastewater Works from the IMB before construction activities commence. Prior to start-up of the system, an *Approval to Operate* must be obtained from the IMB. For more information, please contact the Manager of the Water and Wastewater Management Section, DELG, at (506) 453-7945.

17. The proponent shall ensure that a certified wastewater treatment operator will be operating the *Wastewater Works*. The training and certification must be obtained through the Department of Post-Secondary Education and Labour. For more information, please contact the Manager of the Water and Wastewater Management Section, DELG, at (506) 453-7945.
18. The proponent shall ensure that water quality derived from Wells #1, #3 and #4 meets the criteria of the *Canadian Drinking Water Quality Guidelines*, prior to connecting the first user to the water distribution system. In addition to the requirements in Condition 11, the treatment process shall be reviewed and approved by the Clean Water Act Coordinator at the Department of Health, Central Region (506) 453-2830.
19. Prior to connecting the first user to the water distribution system, Wells #1 and #4 shall be sampled for organic parameters and polycyclic aromatic hydrocarbons. The sampling results shall be sent to the Manager of the Environmental Assessment Section, DELG and the Clean Water Act Coordinator at the Department of Health, Central Region (506) 453-2830.
20. The maximum allowable pumping rate for Well #1 is 304.6 litres/min (67 igpm) which results in a daily water withdrawal limit of 438.6 m³/day. The proponent shall install a flow meter on the well to record water usage and ensure compliance with the pumping rate and daily water withdrawal limit. The proponent must monitor and record daily the water level in the well and submit the water usage and water level data to the Department in the manner prescribed in the *Approval to Operate*.
21. The maximum allowable pumping rate for Well #3 is 113.6 litres/min (25 igpm) for a maximum of 12 hours per day which results in a daily water withdrawal limit of 81.8 m³/day. The proponent shall install a flow meter on the well to record water usage and ensure compliance with the pumping rate and daily water withdrawal limit. The proponent must monitor and record the water level in the well daily and submit the water usage and water level data to the Department in the manner prescribed in the *Approval to Operate*.
22. The maximum allowable pumping rate for Well #4 is 909.2 litres/min (200 igpm) for a maximum of 16 hours per day which results in a daily water withdrawal limit of 872.8 m³/day. The proponent shall install a flow meter on the well to record water usage and ensure compliance with the pumping rate and daily water withdrawal limit. The proponent must submit to the Department the water usage data in the manner prescribed in the *Approval to Operate*.
23. If at any time the proponent wants to increase the pumping rate of Wells #1, #3 and #4, install an additional water supply (i.e. new well) or separate potable and non-potable (i.e. irrigation water) water systems, a water supply source assessment/additional studies may be required, and the proponent must obtain written approval from the Manager of the Environmental Assessment Section, DELG, prior to any changes being initiated.
24. Wells #2 and #5 are not approved for use. Should the proponent want to withdraw water from either of these wells, a water supply source assessment/additional studies may be required, and the proponent must obtain written approval from the Manager of the Environmental Assessment Section, DELG prior to their use.
25. The proponent will be responsible for any negative impacts to private water wells caused by the operation of Wells #1, #3 or #4 or the installation of piping and other infrastructure. The proponent will be required to provide a temporary water supply for short term impacts or to repair, remediate or replace any permanently impacted well(s), which might include, but is not limited to, deepening a well or drilling a new well.

26. The proponent shall ensure that in addition to regular sampling of the water quality as set out in the *Approval to Operate*, Well #1 shall be sampled annually for a pesticide screen (which includes the active ingredients for herbicides, fungicides, and insecticides) during the period when pesticides are being used on the golf course. The results shall be submitted to DELG in the manner prescribed in the *Approval to Operate*.
27. If the proponent decides to expand the wastewater system in a manner that requires the use of additional properties or the installation of different treatment technology other than what was proposed in the registration document described in Condition 3, then the proponent shall obtain written approval from the Manager of the Environmental Assessment Section, DELG prior to commencing any such expansion. Further, the proponent shall obtain an *Approval to Modify for the Wastewater Works* from the Impact Management Branch (IMB), before making any modifications to the wastewater treatment system, including expansion. For more information, please contact the Manager of the Water and Wastewater Management Section, DELG, at (506) 453-7945.
28. The proponent shall ensure that the well casing for Well #1 is extended above ground and the casing is sealed prior to the well supplying water to the public.
29. The proponent shall ensure that the ground around all wellheads is sloped so no pooling of water can occur and surface water runoff flows away from the wellheads.
30. The proponent shall prepare and submit a wellhead protection plan detailing measures that will be established for every well (production and monitoring wells). The plan must include measures that restrict access to the wells and provide protection against damage and contamination. The plan shall be submitted to the Manager of the Environmental Assessment Section, DELG, for review and approval by August 31, 2013.
31. The proponent shall ensure that a clearly marked 30 meter buffer zone is established around the golf course wells #1 and #5 and that the application of fertilizers and pesticides (including herbicides, fungicides, and insecticides), in the 30 meter buffer zone around the wells, is prohibited.
32. The proponent shall provide a list of pesticides (insecticides, herbicides, fungicides) being applied to the golf course on an annual basis. The list of pesticides shall be sent to the Manager of the Environmental Assessment Section, DELG and the Clean Water Act Coordinator at the Department of Health, Central Region (506 453-2830).
33. The proponent shall ensure that the *Regulatory Requirements for Pesticide Storage* are followed for pesticide storage within any on-site buildings. For more information, please contact the Manager of the Remediation and Materials Management Section, DELG, at (506) 453-7945.
34. The proponent shall ensure that a *Sediment and Erosion Control Plan* is developed and submitted for review and approval by the Manager of the Environmental Assessment Section, DELG, before the commencement of any on-site construction.
35. The proponent shall ensure that all developers, contractors and operators associated with the development project comply with the above requirements.